

Gregg M. Galardi, Esq.  
 Ian S. Fredericks, Esq.  
 SKADDEN, ARPS, SLATE, MEAGHER &  
 FLOM, LLP  
 One Rodney Square  
 PO Box 636  
 Wilmington, Delaware 19899-0636  
 (302) 651-3000

Dion W. Hayes (VSB No. 34304)  
 Douglas M. Foley (VSB No. 34364)  
 MCGUIREWOODS LLP  
 One James Center  
 901 E. Cary Street  
 Richmond, Virginia 23219  
 (804) 775-1000

- and -

Chris L. Dickerson, Esq.  
 SKADDEN, ARPS, SLATE, MEAGHER &  
 FLOM, LLP  
 333 West Wacker Drive  
 Chicago, Illinois 60606  
 (312) 407-0700

Counsel to the Debtors and Debtors  
 in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
 FOR THE EASTERN DISTRICT OF VIRGINIA  
 RICHMOND DIVISION

- - - - -	x
In re:	: Chapter 11
	:
CIRCUIT CITY STORES, INC.,	: Case No. 08-35653
<u>et al.</u> ,	:
	:
Debtors.	: Jointly Administered
- - - - -	x

**AMENDED NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
 HEARING ON JANUARY 29, 2009 AT 10:00 A.M. (EASTERN)**

Set forth below are the matters previously scheduled to be heard before the Honorable Kevin Huennekens, United States Bankruptcy Judge, in the United States Bankruptcy Court for the Eastern District of Virginia, U.S. Courthouse, 701 East Broad Street, Room 5000, Richmond, VA 23219-1888, on January 29, 2009 beginning at 10:00 a.m. Eastern.

**I. RESOLVED MATTERS**

1. Motion and Supporting Memorandum of CCDC Marion Portfolio, L.P. for an Order Compelling Performance of an Agreement Regarding Emergency Motion for Order Compelling Payment of Post-Petition Rent and for Payment of Reasonable Attorneys' Fees (Docket No. 1342)

Related  
Documents:

- a. Notice of Motion and Hearing (Docket No. 1343)

Objection  
Deadline: January 22, 2009 at 4:00 p.m.

Objections/  
Responses  
Filed: Informal Response of the Debtors

Status: No hearing is necessary. The parties have resolved this matter.

2. Motion of Cole CC Taunton MA, LLC for an Order Compelling the Debtors to Perform Timely All Lease Obligations Including the Payment of Post-Petition Rent Pursuant to 11 U.S.C. Section 365(d)(3) (Docket No. 1465)

Related  
Documents:

- a. Notice of Motion and Hearing (Docket No. 1466)

Objection  
Deadline: January 27, 2009 at 4:00 p.m.

Objections/  
Responses  
Filed: Informal Response of the Debtors

Status: No hearing is necessary. The parties have resolved this matter.

3. Motion by Cottonwood Corners - Phase V, LLC for an Order (A) Compelling Debtor to Immediately Pay Administrative Rent Pursuant to 11 U.S.C. Section 365(d)(3) and 503(b); and (B) Granting Related Relief and Supporting Memorandum (Docket No. 1489)

Related  
Documents:

- a. Notice of Motion and Hearing (Docket No. 1490)
- b. Notice of Withdrawal of Motion by Cottonwood Corners - Phase V, LLC (Docket No. 1797)

Objection  
Deadline: January 27, 2009 at 4:00 p.m.

Objections/  
Responses  
Filed: Informal Response of the Debtors

Status: No hearing is necessary. The parties have resolved this matter.

## **II. CONTINUED/ADJOURNED MATTERS**

- 4. Motion for Order Under 11 U.S.C. Sections 105, 362 and 541 and Fed. R. Bankr. P. 3001 and 3002 Establishing Notice, Hearing, and Sell-Down Procedures for Trading in Equity Securities and Claims Against the Debtors' Estates (Docket No. 20)

Related  
Documents:

- a. Interim Order Under 11 U.S.C. 105, 362 And 541 And Fed. R. Bankr. P. 3001 And 3002 Establishing Notice, Hearing, And Sell-Down Procedures For Trading In Equity Securities And Claims Against The Debtors Estates And Setting Hearing (Docket No. 135)

Objection  
Deadline: November 22, 2008 at 4:00 p.m.

Objections/  
Responses  
Filed:

- a. Informal Response of the Securities Exchange Commission
- b. Informal Response of the Official Committee of Unsecured Creditors

Status: The Debtors have resolved the SEC's response with modifications to the final order. The Debtors are working to resolve the

Committee's response. This matter is adjourned until February 13, 2009 at 10:00 a.m.

5. Debtors' Motion for Order Pursuant to 11 U.S.C. §§ 105(a), 365(a) and 554 and Fed. R. Bankr. P. 6006 Authorizing Rejection of Unexpired Leases of Nonresidential Real Property and Abandonment of Personal Property Effective as of the Petition Date (Docket No. 21)

Related Documents:

- a. Order Pursuant to 11 U.S.C. §§ 105(a), 365(a) and 554 and Fed. R. Bankr. P. 6006 Authorizing Rejection of Unexpired Leases of Nonresidential Real Property and Abandonment of Personal Property Effective as of the Petition Date (Docket No. 81)

Objection  
Deadline: December 18, 2008 at 4:00 p.m.

Objections/  
Responses  
Filed:

- a. Limited Objection by Dick's Sporting Goods, Inc. to Order Pursuant to 11 U.S.C. §§ 105(a), 365(a) and 554 and Fed. R. Bankr. P. 6006 Authorizing Rejection of Unexpired Leases of Nonresidential Real Property and Abandonment of Personal Property Effective as of the Petition Date (Docket No. 275)

Status: This matter has been adjourned until February 13, 2009 at 10:00 a.m.

- b. Limited Objection by Golf Galaxy, Inc. to Order Pursuant to 11 U.S.C. §§ 105(a), 365(a) and 554 and Fed. R. Bankr. P. 6006 Authorizing Rejection of Unexpired Leases of Nonresidential Real Property and Abandonment of Personal Property Effective as of the Petition Date (Docket No. 277)

Status: This matter has been adjourned until February 13, 2009 at 10:00 a.m.

- c. Objection of Dollar Tree Stores, Inc. to the Order Pursuant to 11 U.S.C. Sections 105(A), and 554 and Fed. R. Bankr. P. 6006 Authorizing Rejection of Unexpired Leases of Nonresidential Real Property and Abandonment

of Personal Property Effective as of the Petition Date  
(Docket No. 351)

Related  
Documents:

(i) Response of Chalek Company, LLC, (Landlord) to  
Objection of Dollar Tree Stores, Inc. (Sublessee)  
to the Order Pursuant to 11 U.S.C. §§ 105(A), and  
554 and Fed. R. Bankr. P. 6006 Authorizing  
Rejection Of Unexpired Leases And Subleases Of  
Nonresidential Real Property And Abandonment Of  
Personal Property as of the Petition Date (Docket  
No. 1481)

(ii) Notice of Withdrawal of Response of Chalek  
Company, LLC (Docket No. 1778)

Status: This matter has been adjourned until February  
13, 2009 at 10:00 a.m.

d. Joinder of Landlord, 120 Orchard, 427 Orchard LLC and  
FT Orchard LLC in Limited Objection to Order Pursuant  
to 11 U.S.C. §§ 105(a), 365(a) and 554 and Fed. R.  
Bankr. P. 6006 Authorizing Rejection of Unexpired  
Leases of Nonresidential Real Property and Abandonment  
of Personal Property Effective as of the Petition Date  
(Docket No. 354)

Related  
Documents:

(i) Landlords' 120 Orchard, 427 Orchard LLC and FT  
Orchard LLC Motion and Supporting Memorandum for  
an Order Compelling Payment of Post-Petition Rent  
and Granting Related Relief and Supplement to  
Joinder in Limited Objection (Dkt. Nos. 277 and  
354) (Docket No. 949)

Status: This matter has been adjourned until February  
13, 2009 at 10:00 a.m.

e. Joinder Of Galleria Plaza, Ltd. To Limited Objection Of  
Dick's Sporting Goods, Inc. To Order Pursuant To 11  
U.S.C. Sections 105(a), 365(a) And 554 And Fed. R.  
Bankr. P. 6006 Authorizing Rejection Of Unexpired  
Leases And Subleases Of Nonresidential Real Property  
And Abandonment Of Personal Property Effective As Of  
The Petition Date (Docket No. 719)

Related  
Documents:

- (i) Amended Joinder Of Galleria Plaza, Ltd. To Limited Objection Of Dick's Sporting Goods, Inc. To Order Pursuant To 11 U.S.C. Sections 105(a), 365(a) And 554 And Fed. R. Bankr. P. 6006 Authorizing Rejection Of Unexpired Leases And Subleases Of Nonresidential Real Property And Abandonment Of Personal Property Effective As Of The Petition Date (Docket No. 927)

Status: This matter has been adjourned until February 13, 2009 at 10:00 a.m.

- f. Debtors' Omnibus Reply to Objections and in Support of Motion of the Debtors for Entry of an Order Pursuant to 11 U.S.C. §§ 105(a), 365(a) and 554 and Fed. R. Bankr. P. 6006 Authorizing Rejection of Unexpired Leases of Nonresidential Real Property and Abandonment of Personal Property Effective as of the Petition Date (Docket No. 664)

Status: This matter has been adjourned until February 13, 2009 at 10:00 a.m.

- 6. Motion by Engineered Structures, Inc. to Terminate Automatic Stay and Rule 4001(a)-1 Notice (Docket No. 1070)

Objection

Deadline: January 9, 2009 at 4:00 p.m.

Objections/  
Responses  
Filed:

- a. Debtors' Objection to Engineered Structures, Inc. Motion to Terminate Automatic Stay (Docket No. 1448)
- b. Reply Brief by Engineered Structures, Inc. in Support of Motion to Terminate Automatic Stay and Rule 4001.2 Notice (Docket No. 1536)

Status: The parties have submitted a consensual form order that partially resolves the motion. The parties will submit a second consensual form order that resolves in part and adjourns in part the remaining relief requested by the motion. The remaining relief will be adjourned to February 13, 2009 at 10:00 a.m.

7. Motion of Motorola Inc. for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. Section 503(b)(9) (Docket No. 1128)

Related Documents:

- a. Notice of Motion and Hearing (Docket No. 1135)
- b. Amended Notice of Motion and Hearing (Docket No. 1242)
- c. Exhibits to Motion of Motorola Inc. for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. Section 503(b)(9) (Docket Nos. 1288, 1289, 1290, 1291, 1292, 1293)

Objection

Deadline: February 6, 2009 at 4:00 p.m.

Objections/  
Responses

Filed: None at the time of filing this agenda.

Status: This matter has been adjourned until February 13, 2009 at 10:00 a.m.

8. Motion of General Instrument Corporation Doing Business as the Home & Networks Mobility Business of Motorola Inc. for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. Section 503(b)(9) (Docket No. 1134)

Related Documents:

- a. Notice of Motion and Hearing (Docket No. 1136)
- b. Amended Notice of Motion and Hearing (Docket No. 1243)
- c. Notice of Filing Exhibit to Motion (Docket Nos. 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293)

Objection

Deadline: February 6, 2009 at 4:00 p.m.

Objections/  
Responses

Filed: None at the time of filing this agenda.

Status: This matter has been adjourned until February 13, 2009 at 10:00 a.m.

9. Debtors' Motion for Order Approving Stipulation by and among the Debtors and International Business Machines Corporation Pursuant to Bankruptcy Code Sections 105 and 363 and Bankruptcy Rule 9019 (Docket No. 1419)

Related Documents:

- a. Notice of Motion and Hearing (Docket No. 1420)
- b. Motion for an Order Setting an Expedited Hearing (Docket No. 1421)
- c. Order Setting an Expedited Hearing (Docket No. 1709)

Objection  
Deadline: January 16, 2009 at 10:00 a.m.

Objections/  
Responses  
Filed: Informal Response of the Official Committee of Unsecured Creditors

Status: This matter has been adjourned until February 13, 2009 at 10:00 a.m.

10. Motion of Plumchoice, Inc. for Relief from the Automatic Stay Pursuant to 11 U.S.C. 362(d)(1) to Permit Termination of Dispatch Agreement and Request for Related Relief Including Approval of Shortened Notice Period (Docket No. 1498)

Related Documents:

Objection  
Deadline: January 27, 2009 at 4:00 p.m., extended for the Debtors until February 11, 2009 at 4:00 p.m.

Objections/  
Responses  
Filed: None at the time of filing this agenda.

Status: This matter has been adjourned until February 13, 2009 at 10:00 a.m.



11. Motion of Federal Warranty Services Corporation, Sureway, Inc., American Bankers Insurance Company of Florida, and United Service Protection, Inc. To Compel Assumption Or Rejection Of Agreements Between The Assurant Companies And Circuit City Stores, Inc., Or In The Alternative Motion For Relief From Stay To Terminate Agreements, And Memorandum In Support (Docket Nos. 1794 and 1813)

Related  
Documents:

- a. Notice of Motion and Hearing (Docket Nos. 1796 and 1816)

Objection  
Deadline: February 11, 2009

Objections/  
Responses  
Filed: None at the time of filing this agenda.

Status: This matter has been adjourned until February 13, 2009 at 10:00 a.m.

### **III. UNCONTESTED MATTERS GOING FORWARD**

12. Debtors' Motion for Order under Bankruptcy Code Sections 105, 363 and 365 and Bankruptcy Rules 6004 and 6006 Authorizing and Approving (A) Assumption and Assignment of Certain Unexpired Leases of Nonresidential Real Property; and (B) Sale of Certain Nonresidential Real Property Leases Free and Clean of Liens, Claims and Encumbrances to Maryland Acquisitions, LLC or Its Nominee (Docket No. 1266)

Related  
Documents:

- a. Notice of Motion and Hearing (Docket No. 1267)
- b. Praecipe of American Computer Development, Incorporated Withdrawing Its (I) Objection to Debtors' Motion for an Order under Bankruptcy Rules 6004 and 6006 Authorizing and Approving (A) Assumption and Assignment of Certain Unexpired Leases of Nonresidential Real Property; and (B) Sale of Certain Nonresidential Real Property Leases Free and Clear of Liens, Claims and Encumbrances to Maryland Acquisition, LLC or Its Nominee; and (II) Offer to Purchase the Leases for a Higher Amount (Docket No. 1834)

Objection

Deadline: January 9, 2009 at 4:00 p.m.

Objections/

Responses

Filed:

- a. American Computer Development, Incorporated's (I) Objection to Debtors' Motion for Order Under Bankruptcy Code Sections 105, 363 and 365 and Bankruptcy Rules 6004 and 6006 Authorizing and Approving (A) Assumption and Assignment of Certain Unexpired Leases of Nonresidential Real Property; and (B) Sale of Certain Nonresidential Real Property Leases Free and Clear of Liens, Claims and Encumbrances to Maryland Acquisition, LLC or Its Nominee; and (II) Offer to Purchase the Lease for a Higher Amount (Docket No. 1443)

Status: The parties have resolved the objection of American Computer Development, Incorporated. This matter is going forward.

- 13. Debtors' Motion for Order Pursuant to Bankruptcy Code Section 105 and Bankruptcy Rule 9019 Approving Agreement between Debtors and Verizon Corporate Services Group, Inc. (Docket No. 1452)

Related

Documents:

- a. Notice of Motion and Hearing (Docket No. 1453)

Objection

Deadline: January 22, 2009 at 4:00 p.m.

Objections/

Responses

Filed: None at the time of filing this agenda.

Status: This matter is going forward.

#### **IV. CONTESTED MATTERS**

- 14. Notice of Motion and Motion of Mansfield SEQ 287 & Debbie, Ltd. for Order Under Bankruptcy Code Sections 105, 362, and 363, Federal Bankruptcy Rule 9014, and Local Bankruptcy Rule 4001(a)-1, Modifying the Automatic Stay to (I) Permit the Administrative Freeze of Certain Funds, and (II) to Permit the Exercise of Setoff and Recoupment, or for Adequate

Protection and Supporting Memorandum of Law (Docket No. 449)

Related  
Documents:

- a. Exhibits to Motion for an Order Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361 and 363 (Docket Nos. 460, 461, 462, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486)

Objection

Deadline: January 23, 2009 at 4:00 p.m.

Objections/  
Responses

Filed: Informal Response of the Debtors

Status: The parties are working to resolve this matter and anticipate submitting a consensual form of order. This matter is going forward.

- 15. Motion by Reverend Dwayne Funches for Relief from Automatic Stay of 11 U.S.C. Section 362(a) with Supporting Memorandum of Law and Request for Shortened Notice and Expedited Hearing (Docket No. 487)

Related  
Documents:

- a. Amended Motion to Expedite Hearing (Docket No. 566)

- b. Agreed Order (Docket No. 639)

Objection

Deadline: December 1, 2008 at 4:00 p.m.

Objections/  
Responses

Filed:

- a. Debtors' Response and Objection to Motion for Relief from Automatic Stay of 11 U.S.C. Section 362(a) with Supporting Memorandum of Law and Request for Shortened Notice and Expedited Hearing (Docket No. 558)

Status: This matter is going forward.

- 16. Application of Official Committee of Unsecured Creditors of Circuit City Stores, Inc. for Order Under 11 U.S.C. Sections 1103 and 327 and Fed. R. Bankr. P. 2014 and 5002,

Authorizing and Approving Retention and Employment, Nunc Pro Tunc, of Protiviti, Inc. as Financial Advisor (Docket No. 1194)

Related Documents:

- a. Notice of Motion and Hearing (Docket No. 1196)
- b. Order Authorizing and Approving the Employment of Protiviti, Inc. as Financial Advisor to the Official Committee of Unsecured Creditors Retroactive to November 18, 2008 (Docket No. 1668)

Objection

Deadline: January 9, 2009 at 4:00 p.m.

Objections/  
Responses

Filed: Informal Response of the Debtors

Status: This matter is going forward on a limited basis to address certain aspects of the Debtors' informal objection, which were noted on the record at the hearing on January 16, 2009.

- 17. Application of Official Committee of Unsecured Creditors of Circuit City Stores, Inc. for an Order Pursuant to Sections 328 and 1103 of the Bankruptcy Code and Bankruptcy Rule 2014 Authorizing the Retention and Employment of Jefferies & Company, Inc. as Financial Advisors to the Official Committee of Unsecured Creditors Nunc Pro Tunc to November 18, 2008 (Docket No. 1195)

Related Documents:

- a. Notice of Motion and Hearing (Docket No. 1196)
- b. Agreed Order Pursuant to Sections 328 and 1103 of the Bankruptcy Code and Bankruptcy Rule 2014 Authorizing the Retention and Employment of Jefferies & Company, Inc. as Financial Advisors to the Official Committee of Unsecured Creditors Nunc Pro Tunc to November 18, 2008 (Docket No. 1682)

Objection

Deadline: January 9, 2009 at 4:00 p.m.

Objections/  
Responses

Filed: Informal Response of the Debtors

Status: This matter is going forward on a limited basis to address certain aspects of the Debtors' informal objection, which were noted on the record at the hearing on January 16, 2009.

18. Motion by Chase Bank USA, National Association to Compel Rejection of Consumer Credit Card Program Agreement Pursuant to 11 U.S.C. Section 365(d)(2) and to Obtain Limited Relief from the Automatic Stay Pursuant to 11 U.S.C. Section 362(d) (Docket No. 1687)

Related  
Documents:

- a. Motion for Expedited Hearing (Docket No. 1688)
- b. Order Granting Expedited Hearing and Shortened Notice Period (Docket No. 1742)

Objection

Deadline: January 27, 2009 at 5:00 p.m.

Objections/  
Responses  
Filed:

- a. Debtors' Preliminary Objection to Chase Bank USA, National Association's Motion to Compel Rejection of Consumer Credit Card Program Agreement Pursuant to 11 U.S.C. § 365(d)(2) And To Obtain Relief From The Automatic Stay Pursuant to 11 U.S.C. §362(d) (Docket No. 1818)

Status: This matter is going forward.

19. Motion of Federal Warranty Services Corporation, Sureway, Inc., American Bankers Insurance Company of Florida, and United Service Protection, Inc. For Expedited Hearing On The Motion of Federal Warranty Services Corporation, Sureway, Inc., American Bankers Insurance Company of Florida, and United Service Protection, Inc. To Compel Assumption Or Rejection Of Agreements Between The Assurant Companies And Circuit City Stores, Inc., Or In The Alternative Motion For Relief From Stay To Terminate Agreements, And Memorandum In Support (Docket Nos. 1795 and 1815)

Related  
Documents:

a. Notice of Motion and Hearing (Docket Nos. 1796 and 1816)

Objection  
Deadline: January 28, 2009 at 11:59 p.m. (Requested)

Objections/  
Responses  
Filed: None at the time of filing this agenda.

Status: The underlying motion has been adjourned to February 13, 2009. The motion for expedited hearing is going forward.

Dated: January 28, 2009 SKADDEN, ARPS, SLATE, MEAGHER &  
Richmond, Virginia FLOM, LLP  
Gregg M. Galardi, Esq.  
Ian S. Fredericks, Esq.  
P.O. Box 636  
Wilmington, Delaware 19899-0636  
(302) 651-3000

- and -

SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM, LLP  
Chris L. Dickerson, Esq.  
333 West Wacker Drive  
Chicago, Illinois 60606  
(312) 407-0700

- and -

MCGUIREWOODS LLP

/s/ Douglas M. Foley .  
Dion W. Hayes (VSB No. 34304)  
Douglas M. Foley (VSB No. 34364)  
One James Center  
901 E. Cary Street  
Richmond, Virginia 23219  
(804) 775-1000

Counsel for Debtors and Debtors  
in Possession